

II. REMARKS

Formal Matters

Claims 1, 3, 13-15, 20, 21, 33, 35, 36, and 38-43 are pending after entry of the amendments set forth herein.

Claims 1, 3, 13-15, 20, 21, 33, 35, 36, and 38-43 were examined and were rejected.

Claims 1 and 13 are amended. The amendments to the claims were made solely in the interest of expediting prosecution, and are not to be construed as acquiescence to any objection or rejection of any claim. No new matter is added by these amendments.

Applicants respectfully request reconsideration of the application in view of the remarks made herein.

Withdrawn rejections

Applicants note with gratitude that the following rejections have been withdrawn:

- 1) rejection of claims 1, 3, 13-15, 20, 21, 33, 35, 36, 38-43 under 35 U.S.C. §112, first paragraph;
- 2) rejection of claim 1, 3, 5, 6, 13-15, 1721, 33, 35, 36, and 38-48 under 35 U.S.C. §112, first paragraph; and
- 3) rejection of claim 40 under 35 U.S.C. §112, second paragraph.

Rejections under 35 U.S.C. §112, second paragraph

Claims 1, 3, 13-15, 20, 21, 33, 35, 36, and 38-43 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

Claim 1

The Office Action stated that line 3 of claim 1 recites “said fatty acid desaturase”; and stated that there is insufficient antecedent basis for this recitation.

Claim 1 is amended to recite “said desaturase”; there is adequate antecedent basis for “said desaturase.”

Claim 13

The Office Action stated that claim 13 is incomplete for omitting essential steps. The Office Action suggested certain amendments to claim 13.

Without conceding as to the correctness of this rejection, and solely in the interest of expediting prosecution, claim 13 is amended as shown above.

Conclusion as to the rejections under 35 U.S.C. §112, second paragraph

Applicants submit that the rejections of the claims discussed above under 35 U.S.C. §112, second paragraph, has been adequately addressed in view of the remarks set forth above. The Examiner is thus respectfully requested to withdraw the rejection.

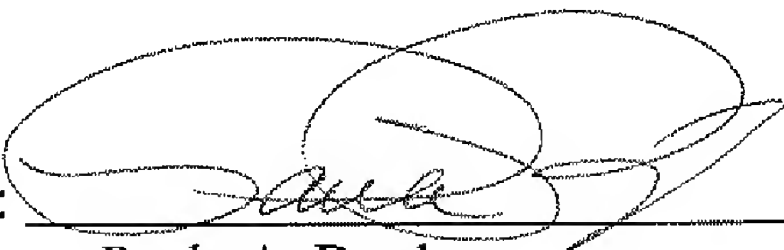
III. CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number UCDV-286.

Respectfully submitted,
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Date: March 15, 2007

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